



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 24, 1998

Francis X. Borgerding, Jr., Esquire
Mercantile Building - Suite 600
409 Washington Avenue
Towson, MD 21204

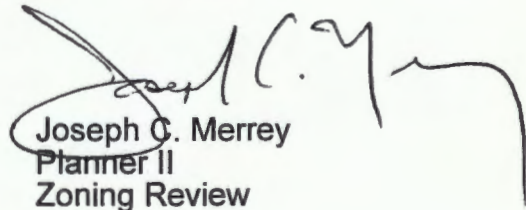
RE: 10901 York Road
(FKA 10913 York Road)
Zoning Case #93-43-A
8th Election District

Dear Mr. Borgerding:

I have discussed the contents of your letter dated June 17, 1998, regarding the above referenced property, with Mr. Lawrence Schmidt, Zoning Commissioner, and we are in agreement that the proposed additions and change in use will require a special hearing to address the issues presented (see case #93-43-A). I have enclosed the informational booklet and petition forms for this filing.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,


Joseph C. Merrey
Planner II
Zoning Review

JCM:scj

Enclosure

c: zoning case #93-43-A



FRANCIS X. BORGERDING, JR.

Attorney at Law

MERCANTILE BUILDING - SUITE 600
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 296-6820
FAX (410) 296-6884

*Member of Maryland and
District of Columbia Bar*

June 17, 1998

Arnold Jablon, Director
Department of Permits and Development
Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

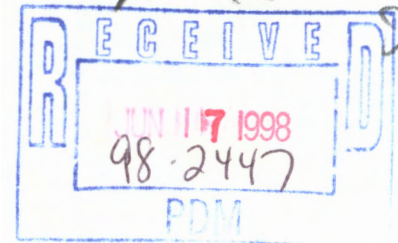
RE: Property Located at 10901 York Road
(formerly 10913 York Road)
Property Owner: Thomas M. Kelly
Election District: #8
Baltimore County, Maryland

Dear Mr. Jablon:

This correspondence is being written on behalf of my client, Thomas M. Kelly, in relation to the proposed utilization of the above-referenced property. My client is requesting an interpretation that under the above-referenced property's B.M. zoning and in light of the property's approved utilization pursuant to the enclosed site plan prepared by Development Engineering Consultants, Inc. dated November 13, 1995, that changes in use from the approved site plan as detailed herein are within the spirit and intent of the property's zoning. I have enclosed an enlarged portion of the November 13, 1995 site plan marked up by Pat O'Keefe of Land Development Consultants showing the property owner's changes of use. As you will note, the changes which my client is requesting spirit and intent confirmation on are:

1. The addition of a 20 X 12 utility storage part shed as outlined on the enlarged plan; and
2. The proposed build out of the second floor of the building on the site for office space totaling 1,332 square feet.

According to Mr. O'Keefe's calculations the property owner is required to provide nine parking spaces on the site in light of the property owner's utilization of the first and second floor of the building. The site plan submitted herein by Mr. O'Keefe shows the Petitioner providing nine parking spaces on site as outlined in

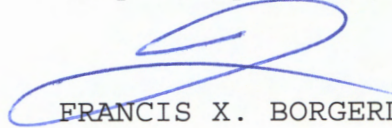


Arnold Jablon, Director
Page 2
June 17, 1998

blue. I have also enclosed a check herewith in the amount of \$40.00 made payable to Baltimore County to cover the cost of this request.

If you have any questions in relation to the above or require any additional information, please do not hesitate to contact me. Thank you very much for your cooperation with regard to this matter.

Very truly yours,

A handwritten signature in blue ink, appearing to be "Francis X. Borgerding, Jr.", written over a light blue rectangular background.

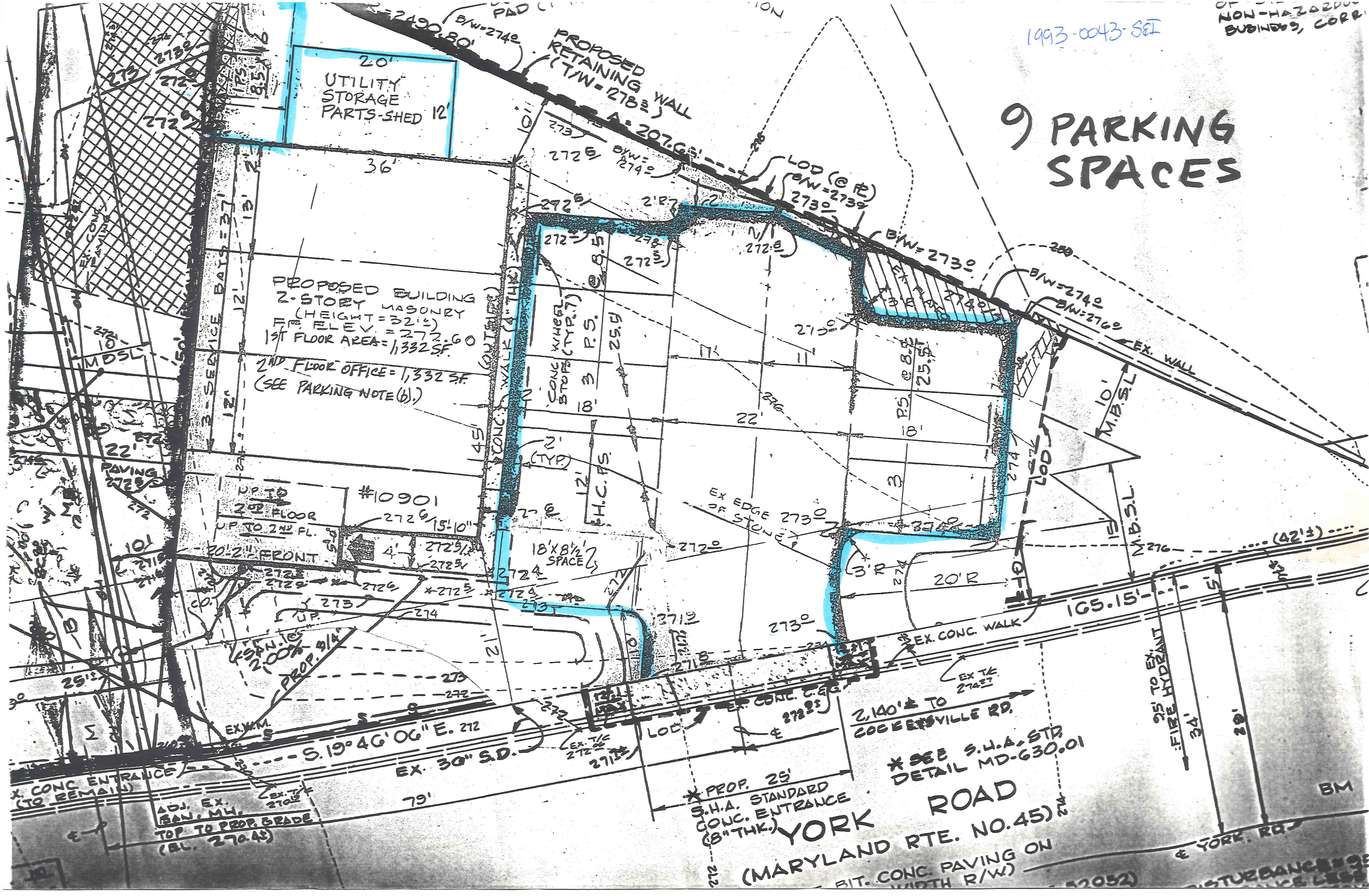
FRANCIS X. BORGERDING, JR.

FXBJr:bjk
Enclosure
cc: Mr. Tom Kelly

1993-0043-SEI

NON-HAZARDOUS
BUILDING, CORP.

9 PARKING
SPACES



ADDITIONAL NOTES:

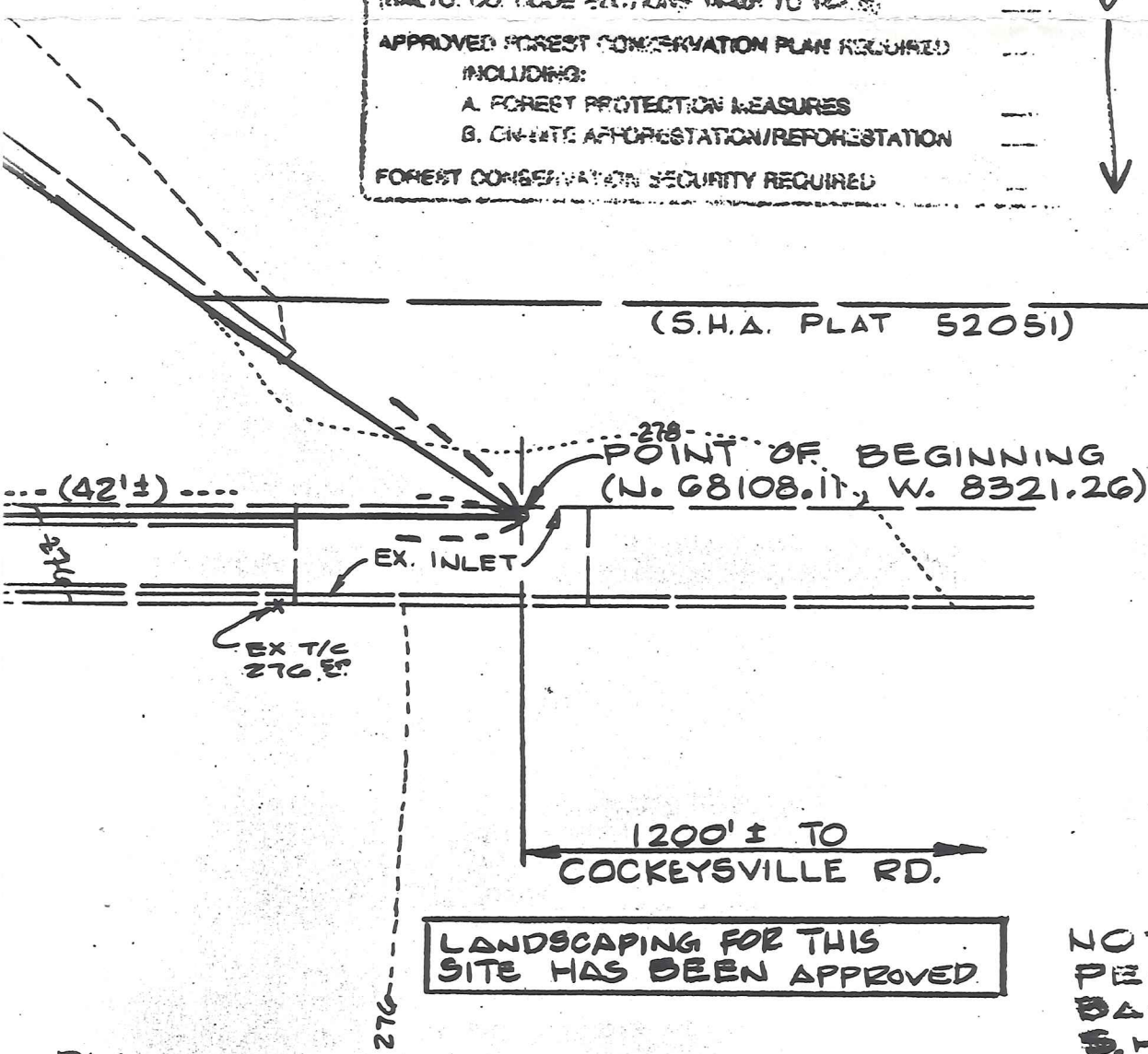
a) BUILDING AREA TABULATION:
 FIRST FLOOR = $(36' \times 45') + (5' \times 20') = 1,720 \text{ S.F.}$
 SECOND FLOOR = $1,720 \text{ S.F.}$
 3,440 S.F. (FOR F.A.R.)

b) REQUIRED PARKING:
 SERVICE BAYS = $3.3 \text{ P.S.} / 1,000 \text{ S.F.}$
 $36' \times 37' = 1,332 \text{ S.F.} \times 3.3 / 1000 = 4.40 \text{ P.S.}$
 + OFFICE SPACE = $3.3 \text{ P.S.} / 1,000 \text{ S.F.}$
 $36' \times 37' = 1,332 \text{ S.F.} \times 3.3 / 1000 = 4.40 \text{ P.S.}$
 TOTAL = 8.80 P.S.
 (USE 9 P.S.)

* 1332 S.F. + 288 S.F. = 1,620 S.F. REMAINING
 AREAS OF PROPOSED BUILDING. CONSISTS
 OF STAIRWAY TO 2ND FLOOR, STORAGE OF
 NON-HAZARDOUS MATERIALS INCIDENTAL TO
 BUSINESS, CORRIDOR SPACE AND RESTROOMS.

LAD 9-9-97

SUBJECT TO FOREST CONSERVATION REGULATIONS (BALTO. CO. CODE SECTIONS 14401 TO 14405)	YEL	N.
APPROVED FOREST CONSERVATION PLAN REQUIRED INCLUDING: A. FOREST PROTECTION MEASURES B. CIVILITE AFFORESTATION/REFORESTATION		✓
FOREST CONSERVATION SECURITY REQUIRED		



- Owner: Thomas N. Kelly
13330 Long Green Pike
Hydes, Md., 21082
- Area Tabulation: Gross/Net area: 0.23
- Election District: 8
County Council District No.: 3
Tax Account No.: 0814065371
- Zoning: BM (Official Zoning Map #18B N)
- Existing Use: Vacant
Proposed Use: Service Garage
- Building Area: 2 story x 1,720 S.F. =
Floor Area ratio: 3,440 sq. ft. / 10392
*-maximum permitted floor area ratio:
- Parking space requirements: G (SEE SE
(SEE ADDITIONAL NOTE (b))
Parking spaces provided: 8 (INCLUDES
- Utilities: Water - PUBLIC Sewer - P
- Estimated ADT: (BASED ON GARAGE P
- There are no existing historic building
- There are no known critical areas, arch
species habitats, significant geological
material sites on this property.
- There are no known streams, bodies of w
plains on this site. (SEE F.I.R.M. #
- Parking and maneuvering isles shall be
typical paving section and will be per
- A zoning variance request for a rear ya
the required 20 feet pursuant to Sectio
Baltimore County Zoning Regulations was
- A special variance request for exemptio
pursuant to section 4A02.4 (D & P) of t
Regulations was granted (case # 93-43-A
- The topography shown hereon is Field Ru
prepared by DEVELOPMENT ENGR. CON., I
- The location of utilities shown hereon
shall verify the existence, location, a
utilities and shall notify the engineer
beginning work.
- The contractor shall notify "Miss Utili
working days prior to the beginning of
existing utilities.
- The contractor shall note that in case
scaled and figured dimensions shown on
dimension shall govern.
- There are no existing wells, septic sys
on site.
- Maryland Department of Transportation,
granted access to the site through the
- The Baltimore County Department of Envi
and Resource Management has granted a w
requirements under the provisions of Se
Baltimore County "Storm Water Management
April 7, 1993.
- This site was granted a Limited
(Site is exempt from Sects. 1
Baltimore County Development
- ADDITIONAL ZONING HISTO
a) D.R.C. 01235A
Approved request to allow
USE and owner's name.
b) D.R.C. 05057M
Approved request to allow
proposed layout of site.
c) THE VARIANCE GRANTED FOR
NO. 93-43-A WAS APPROVE
SERVICE GARAGE. SEE L
BALTIMORE COUNTY ZONING
(SEE NOTE 14 ABOVE).
- PREVIOUS COMMERCIAL
PERMIT #:
B-313312
USE:
GRADING

NOTE: ALL CONSTRUCTION WILL
 PERFORMED IN ACCORDANCE
 BALTIMORE COUNTY/MARYLAND
 S.H.A. STANDARD SPECIFICATION
 AND DETAILS.

PERMIT NO. B-315868

BL-CNS
 9583 S.F. = 0.22 AC
 LESS THAN 20,000 S.F.) "PLAN TO ACCOMPANY BUILDING PERMIT"
 PROVAL NOT REQUIRED

SITE PLAN/GRADING PLAN (ZADM NO.
 FOR
 VIII-G12

10901 YORK ROAD (FORMERLY 10913 YORK ROAD
 ELECTION DISTRICT NO. 8
 BALTIMORE COUNTY, MD

IN RE: PETITION FOR ZONING VARIANCE
E/S York Road, 600 ft. S of
Reaver Run Lane
10913 York Road
8th Election District
3rd Councilmanic District
Robert T. Burgess, et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-43-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Zoning Variance from Sections 232.2 and 232.3 of the Baltimore County Zoning Regulations (B.C.Z.R.). Specifically, the Petitioners request relief to permit a side yard setback of 10 ft., in lieu of the required 15 ft., and a rear yard setback of 10 ft., in lieu of the required 20 ft. Further, the Petitioners seek a special variance from the Basic Services Maps, pursuant to Section 4A02.4.D. & F. of the B.C.Z.R. The subject property is located at 10913 York Road in Cockeysville and immediately abuts York Road. The subject site is .2386 acres in area, triangular in shape, and is zoned B.M. The relief requested is more particularly shown on Petitioners' Exhibit No. 3, the site plan to accompany the Petition for Variance.

The Petitioners/property owners, Robert T. Burgess and Lorri A. Burgess appeared and testified at the public hearing. They were represented by G. Warren Mix, Esquire. Also appearing was Jeffrey V. Jaras, the engineer who prepared the site plan. There were no Protestants.

Mrs. Lorri Burgess testified about her plans for the improvement of this property. She intends to construct thereon a single story building

to house her sign painting business. This business, known as Signations, Inc. is operated by the Petitioners and specializes in the construction of advertising and other signs. The business is not involved in the construction of neon or other lighted signs; merely painting custom made signs for its customers. Mrs. Burgess further testified that she has approximately two employees and the anticipated traffic flow to the site is minimal. There are approximately two deliveries per day and little customer traffic is generated by the use. Mrs. Burgess also noted the other commercial uses which are located nearby.

Mr. Jaras testified and presented the site plan which he prepared. He noted that the outdoor advertising sign which presently exists on the site is to be removed. A single story building, 36 ft. deep x 28 ft. wide, will be constructed. There will be a garage door in front and 6 parking spaces will be provided. Further, the proposed parking surface will be durable and dustless, as required by the B.C.Z.R. He also noted that public water and utilities are available to the site.

As to the setback variances, Mr. Jaras noted the unusual configuration of the lot and its triangular shape. Due to the point of access from York Road, the building must be placed on the property so that only a 10 ft. side/rear yard distance can be maintained.

As to the Petition for Special Variance, Mr. Jaras notes that the relevant failing intersection located at York and Pedonia Road is approximately three miles away. He noted that the subject site is just within the area controlled by this intersection on the Basic Services Maps. He does not believe that development on site, as proposed, will adversely affect traffic congestion in the locale. Further, due to the nature of

the proposed use, Mr. Jaras opined that the impact of the development will be minimal.

The Zoning Plans Advisory Committee reviewed the subject Petition and site plan and several recommendations have been made. Both the Office of Planning and Zoning and Developers Engineering Division believe that a landscape plan should be submitted and approved by the County's Landscape Architect. These departments note that the property is located within the historic Cockeysville area and is ripe for redevelopment. Further, the Office of Planning and Zoning suggests permanent removal of the advertising sign presently on site. In fact, the site plan notes that the sign is to be removed.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship will result if the variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variances requested, and that the requirements from which the Petitioners seek relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variances requested will not cause any injury to the public health, safety and general welfare. Further, granting of the variances will be in strict harmony with the spirit and intent of the B.C.Z.R. Further, I am persuaded, based on the uncontradicted evidence, that the proposed development would be less than assumed by the district standard and that the granting of the Petition will not adversely affect any person who may have filed for relief prior to the Petitioners; all as required by Section 4A02.4.F. of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 19th day of November, 1992 that the Petition for a Zoning Variance from Sections 232.2 and 232.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) seeking relief to permit a side yard setback of 10 ft., in lieu of the required 15 ft., and a rear yard setback of 10 ft., in lieu of the required 20 ft., be and is hereby GRANTED; and,

ORDER RECEIVED FOR FILING
Date 11/19/92
By [Signature]

ORDER RECEIVED FOR FILING
Date 11/19/92
By [Signature]

ORDER RECEIVED FOR FILING
Date 11/19/92
By [Signature]

ORDER RECEIVED FOR FILING
Date 11/19/92
By [Signature]

IT IS FURTHER ORDERED that the a special variance from the Basic Services Maps, pursuant to Section 4A02.4.D. and F. of the B.C.Z.R., all in accordance with Petitioners' Exhibit No. 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the Baltimore County Zoning Plans Advisory Committee (2AC) comments submitted by the Office of Planning and Zoning, dated September 1, 1992, be adopted in their entirety and made a part of this Order.
3. When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.
4. The outdoor advertising sign presently on site shall be permanently removed.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

November 18, 1992

G. Warren Mix, Esquire
Turnbull, Mix and Farmer
706 Washington Avenue
Towson, Maryland 21204

RE: Case No. 93-43-A
Petition for Variance
10913 York Road

Dear Mr. Mix:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmn
att.
cc: Mr. and Mrs. Robert T. Burgess

ORDER RECEIVED FOR FILING
Date 11/19/92
By [Signature]



Petition for Variance

to the Zoning Commissioner of Baltimore County 93-43-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 232.2 and 232.3 of the B.C.Z.R. To allow a side/rear yard setback of 10' in lieu of the required 15'/20' and a special variance from the Basic Services MAPS under Section 4A02.4 D & F.

- 1) The limited size and unusual configuration of the property in addition to the location of the existing driveway prohibit the construction of a commercial building in strict compliance with Baltimore County Zoning Regulations without relief
- 2) The traffic into and out of the proposed site will be equal to or less than existing conditions and therefore have no significant impact on existing traffic patterns in Property is to be posted and advertised as prescribed by Zoning Regulations York Road.

I or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Robert T. Burgess

[Signature]

Lorri A. Burgess

[Signature]

[Signature]

[Signature]

Attorney for Petitioner:

N/A

(Type or Print Name)

Address

City and State

Address

City and State

Attorney's Telephone No.:

3601 Rockdale Rd. W(410)887-7762

Address

Millers, Maryland 21107

City and State

Name, address and phone number of legal owner, contact purchaser or representative to be contacted

Same as Above

Name

Address

Office Use Only

ESTIMATED LENGTH OF HEARING - 1/2 HR.

AVAILABLE FOR HEARING

ALL MON./TUES./WED. - NEXT TWO MONTHS

REVIEWED BY: CAM DATE

51

LEON A. PODOLAK AND ASSOCIATES SURVEYING AND CIVIL ENGINEERING

53 EAST MAIN STREET, P.O. BOX 266
WESTMINSTER, MARYLAND 21157
TELEPHONES: WESTMINSTER 848-2229 BALTIMORE 876-1226

93-43-A
Description

To accompany petition for Zoning Variance 0.2246 Acre parcel of the Robert T. and Lorri Burgess property located in Cockeysville, at 10903 York Road, in the Eight Election District, Baltimore County, Maryland.

Beginning for the same at the end of the two following courses and distances measured from the intersection formed by the centerline of York Road having a variable width Right-of-Way, with the centerline of the Mass Transit Administration Right-of-Way being sixty six feet wide, formerly known as the Pennsylvania Railroad Company Right-of-Way, thence leaving said intersection and running with and binding on the centerline of York Road, in a Northwesterly direction for a distance of 120 feet more or less distance of thirty four feet more or less to the point of beginning, thence leaving said point of beginning and running with and binding on the Easternmost Right-of-Way line of York Road and referring all courses of this description to the grid meridian established in the Baltimore County Metropolitan District (1) North 19° 46' 06" West 165.15 feet, thence leaving said Right-of-Way line and running in a Northeasterly direction North 68° 57' 23" East 122.14 feet to intersect with the Westernmost Right-of-Way line of the aforementioned Pennsylvania Railroad Company thence running and binding on said Right-of-Way line (1) by a line curving to the left in a Southwesterly direction having a radius of 2490.80 feet for a distance of 207.65 feet the arc of which is subtended by the chord South 16° 15' 48" West 207.59 feet to the point of beginning.

Containing 0.2246 Acres of land more or less.

This description has been prepared for Zoning purposes only and is not intended to be used for conveyance.



Westminster, this 19-th day
of March, 1992.
Jeffrey V. Jaras
Jeffrey V. Jaras,
R.P.L.S. No. 2388

EXHIBIT No. 2

51

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 93-43-A Date of Posting: 9/14/92

Posted for: Robert T. Burgess

Petitioner: Robert T. Burgess

Location of property: 3601 Rockdale Road, Millers, MD 21107

Location of Sign: Along York Rd. on property of P. Burgess

Remarks:

Posted by: William E. Schmidt Date of return: 9/16/92

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., 9/14, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/13, 1992

THE JEFFERSONIAN,
S. Zake Orlov
Publisher

Check 400-40-A (Item 51)
111 West Chesapeake Avenue
Towson, Maryland 21204
October 1, 1992 at 2:00 p.m. in the Old Court House
Petitioner(s): Robert T. Burgess & Lorri A. Burgess
Hearing: Thursday, October 1, 1992 at 2:00 p.m. in the Old Court House
Variance to allow a side/rear yard setback of 10 feet in lieu of the required 15 feet and a special variance from the Basic Services Map.

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

September 22, 1992

Mr. & Mrs. Robert T. Burgess
3601 Rockdale Road
Millers, MD 21107

RE: Item No. 51, Case No. 93-43-A
Petitioner: Mr. Robert T. Burgess, et ux
Petition for Variance

Dear Mr. & Mrs. Burgess:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-4190
Number

8/12/92

PUBLIC HEARING FEES	QTY	PRICE
1 ZONING VARIANCE (OTHER)	1 X	\$250.00
TOTAL:		\$250.00

LAST NAME OF OWNER: BURGESS

Please Make Checks Payable To: Baltimore County
BA C004:04PMB-12-92

Baltimore County
Zoning Administration & Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

Account: R-001-4190
Number

Hearing 10-1-92

9/21/92

93-43

PUBLIC HEARING FEES	QTY	PRICE
1 ZONING VARIANCE (OTHER)	1 X	\$69.55
TOTAL:		\$69.55

LAST NAME OF OWNER: BURGESS

Please Make Checks Payable To: Baltimore County
BA C004:04PMB-21-92

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

Your petition has been received and accepted for filing this 13th day of August, 1992

Arnold Jablon
ARNOLD JABLON
DIRECTOR

Received By:
W. Carl Richard Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: Mr. Robert T. Burgess, et ux

Petitioner's Attorney:

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

DATE: 9/16/92

Robert and Lorri Burgess
3601 Rockdale Road
Millers, Maryland 21107

RE:
CASE NUMBER: 93-43-A (Item 51)
E/S York Road, 600' S of Beaver Run Lane
10913 York Road
8th Election District - 3rd Councilmanic
Petitioner(s): Robert T. Burgess and Lorri A. Burgess
HEARING: THURSDAY, OCTOBER 1, 1992 at 2:00 p.m. in Rm. 106, Office Building

Dear Petitioner(s):

Please be advised that \$ 69.55 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Arnold Jablon
ARNOLD JABLON
DIRECTOR

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for August 31, 1992
Item No. 51

The Developers Engineering Division has reviewed the subject zoning item. This site is subject to minor subdivision comments. In addition, this site is subject to the requirements of the Baltimore County Landscape Manual.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAK:g

7749-92
SW

RECEIVED
SEP 1 1992
ZONING OFFICE

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

August 28, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Court House, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-43-A (Item 51)
E/S York Road, 600' S of Beaver Run Lane
10913 York Road
8th Election District - 3rd Councilmanic
Petitioner(s): Robert T. Burgess and Lorri A. Burgess
HEARING: THURSDAY, OCTOBER 1, 1992 at 2:00 p.m. in Rm. 106, Office Building

Variance to allow a side/rear yard setback of 10 feet in lieu of the required 15 feet/20 feet and a special variance from the Basic Services Map.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County

cc: Robert and Lorri Burgess

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: September 1, 1992

SUBJECT: Burgess Property

INFORMATION:
Item Number: 51

Petitioner: Robert T. Burgess

Property Size: 0.23 acres

Zoning: B.M.

Requested Action: Variance

Hearing Date: 1/1

SUMMARY OF RECOMMENDATIONS:

The petitioner is requesting a variance to allow a side/rear yard setback of 10' in lieu of the required 15'/20' and a special variance from the Basic Services Map under Section 4A02.4.B6F.

The Office of Planning and Zoning recommends **APPROVAL**, subject to the following conditions:

1. Strict compliance with the Landscape Manual.
2. Provide architectural details that are compatible with the historic nature of Cockeysville.
3. Provide street trees along York Road at 40' intervals.
4. Permanent removal of the outdoor advertising sign.

The Hunt Valley/Timonium Redevelopment Study identifies Cockeysville as an area for potential redevelopment and revitalization. Any new development should be of a quality that reflects the historic nature of Cockeysville. The study also

51.ZAC/ZAC1 Pg. 1

ZAC COMMENTS

recommends improvement of the York Road streetscape through the reduction of sign clutter and increased landscaping, particularly by planting street trees.

Prepared by: James J. Murray
 Division Chief: James J. Murray
 FM/PR/EMC:prh

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51.ZAC/ZAC1

Pg. 2

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: August 27, 1992

TO: Mr. Arnold Jablon, Director
 Office of Zoning Administration
 and Development Management

FROM: Rahee J. Famili

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: August 24, 1992

ITEM NUMBER: 51

- 1) Adequate right-of-way for York Road needs to be approved by the State Highway Administration.
- 2) The intersection of York Road and Padonia Road has been identified as an "K" level-of-service intersection since 1991.

Rahee J. Famili
 Rahee J. Famili
 Traffic Engineer II

RJP/lvd

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Baltimore County Government
Fire Department700 East Joppa Road, Suite 901
Towson, MD 21204-5500

AUGUST 24, 1992

(410) 887-4500

Arnold Jablon
 Director
 Zoning Administration and
 Development Management
 Baltimore County Office Building
 Towson, MD 21204

RE: Property Owner: ROBERT T. BURGESS AND LORRI A. BURGESS

Location: #10913 YORK ROAD

Item No.: #51 (CAM) Zoning Agenda: AUGUST 24, 1992

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: Capt. Jerry Bligh / Noted and Approved
 Planning Group / Fire Prevention Bureau
 Special Inspection Division

JP/KEK

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Department of Recreation and Parks
 Development Review Committee Response Form
 Authorized signature: West

Date: 8/31/92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
✓	Robert E. And Cynthia A. Lyons			
DED DEPRM RP STP TE		43		8-24-92
✓	Perring Woods Court Corporation			
DED DEPRM RP STP TE		44		
✓	Perring Woods Court Corporation			
DED DEPRM RP STP TE		45		
✓	Helen Mooney Murphy			
DED DEPRM RP STP TE		46		
✓	Michael E. Turley			
DED DEPRM RP STP TE		47		
✓	James Enterprises			
DED DEPRM RP STP TE		48		
✓	White Marsh Joint Venture			
DED DEPRM RP STP TE		49		
✓	Salvo Realty, Inc.			
DED DEPRM RP STP TE		50		
✓	Robert T. and Lorri A. Burgess			
DED DEPRM RP STP TE		51		
✓	Chester L. And Virginia J. Farley			
DED DEPRM RP STP TE		52		
✓	Mark Allan Claypoole			
DED DEPRM RP STP TE		53		
✓	Ritz Enterprises			
DED DEPRM RP STP TE		55		

93-43-A OCT 1 1992

Department of Environmental Protection & Resource Management
 Development Review Committee Response Form
 Authorized signature: James J. Murray Date: 9-28-92

File Number	Project Name	Waiver Number	Zoning Issue	Meeting Date
Albert F. Baumgart		31		8-19-92
DEPRM				
Michael And Patricia A. Perholtz		33		
DEPRM				

COUNT 2

Adela M. Lombardi And Florence Kunsky		38		8-24-92
DEPRM				
Helaine G. And Melvin R. Trosch		39		
DEPRM				
Baltimore Country Club of Baltimore City		40		
DEPRM				
Michael E. Turley		47		
DEPRM				

Robert T. and Lorri A. Burgess		51		
DEPRM				

Michael E. Turley		57		
DEPRM				

COUNT 6

Susan J. Blum		23		8-3-92
DEPRM				
Arthur Thomas Ward, III		9		
DEPRM				

Robert T. and Lorri A. Burgess		51		
DEPRM				

COUNT 2

LAW OFFICES
TURNBULL, MIX & FARMER
706 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

G. WARREN MIX
 JAMES R. FARMER
 DOUGLAS T. SACRE
 PATRICK J. PERRINS
 GREGORY E. HAMMOND

(410) 886-0700
 (410) 886-1817
 FAX (410) 886-5086

September 14, 1992

OF COUNSEL
 WILLIAM E. HAMMOND
 107 MAIN STREET
 BOSTON, MA 02108
 (617) 862-1188
 JOHN GRASON TURNBULL
 1600 LINDA
 OCEAN CITY OFFICE
 210 N. 1ST STREET
 OCEAN CITY, MD 21840
 (410) 886-6419

Lawrence E. Schmidt, Zoning Commissioner
 of Baltimore County
 Office of Planning and Zoning
 111 West Chesapeake Avenue
 Towson, Maryland 21204

RE: Case No. 93-43-A
 Petitioners: Robert T. Burgess and Lorri Burgess
 Hearing Date: Thursday, October 1, 1992 @ 2:00 p.m.

Dear Commissioner Schmidt:

Please enter my appearance as counsel for the Petitioners in the above captioned variance hearing which is scheduled for Thursday, October 1, 1992 at 2:00 p.m.

Thank you for your cooperation.

Very truly yours,
 TURNBULL, MIX & FARMER
G. Warren Mix
 G. Warren Mix

GWM/dn

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 SEP 15 1992
ZONING OFFICE

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<u>Robert T. Burgess</u>	<u>3601 Rockville Rd</u>
<u>Jeffrey V. Jara</u>	<u>111085 MD 21187</u>
<u>Jeffrey V. Jara</u>	<u>3601 Rockville Rd</u>
<u>Jeffrey V. Jara</u>	<u>111085 MD 21187</u>
<u>Jeffrey V. Jara</u>	<u>105 Mallow Hill Rd</u>
<u>Jeffrey V. Jara</u>	<u>BALTO, MD 21229</u>



Maryland Department of Transportation
 State Highway Administration

O. James Lighthizer
 Secretary
 Hal Kassoff
 Administrator

PLEASE REPLY TO:
 OFFICE OF DISTRICT ENGINEER
 211 WEST JOPPA ROAD
 BROOKLANDVILLE, MARYLAND 21022

April 1, 1992

Mr. Tim Burgess:

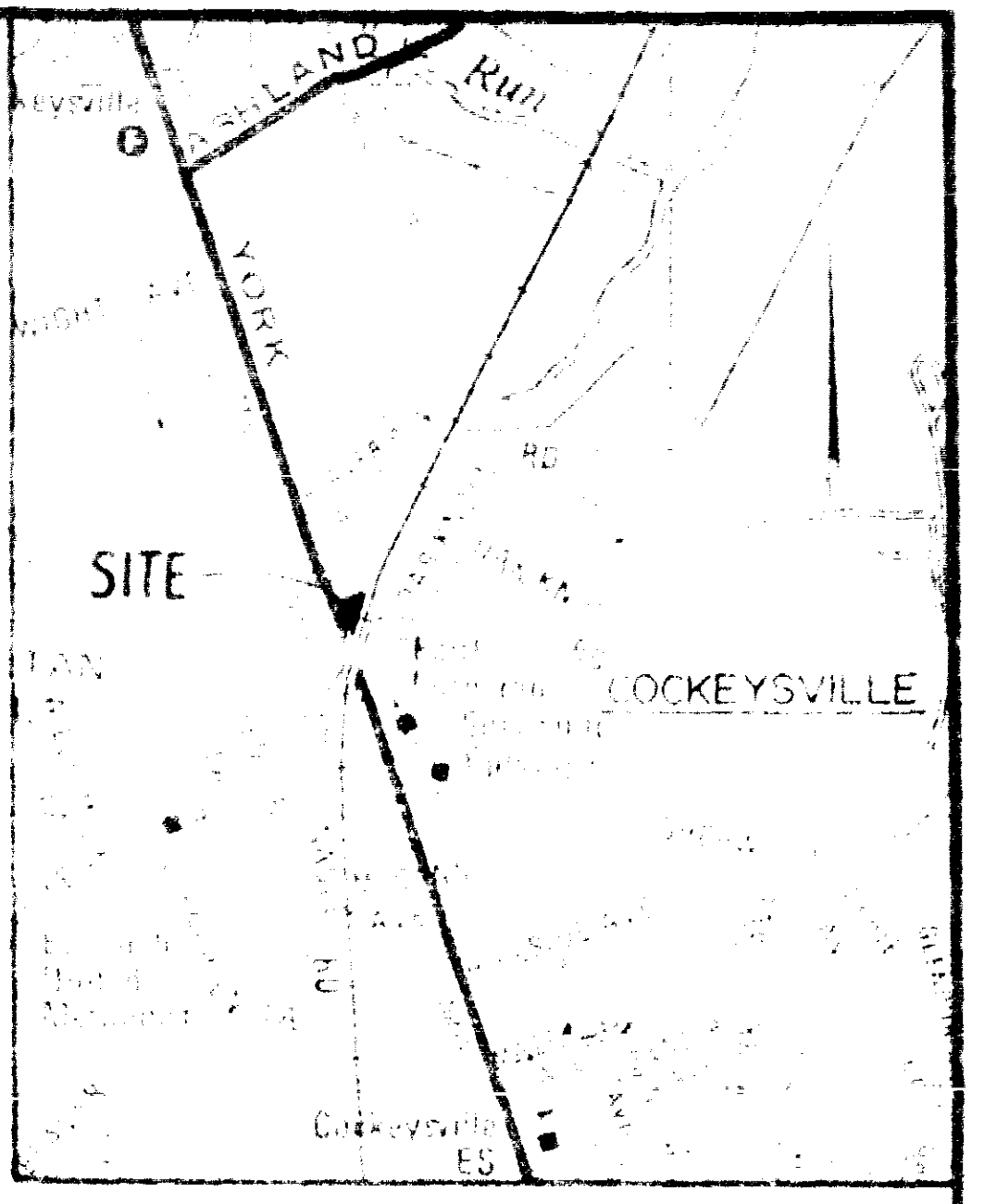
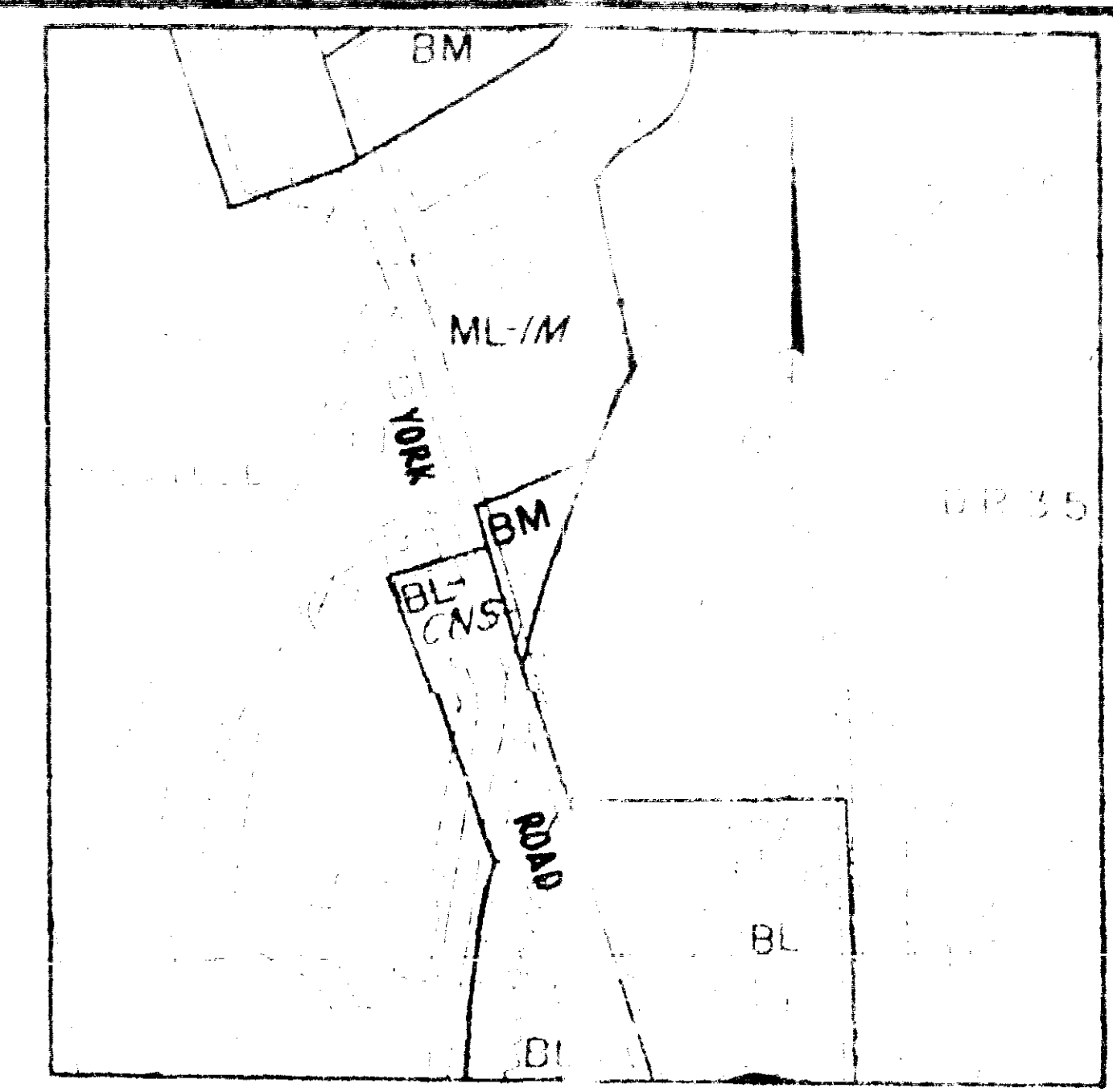
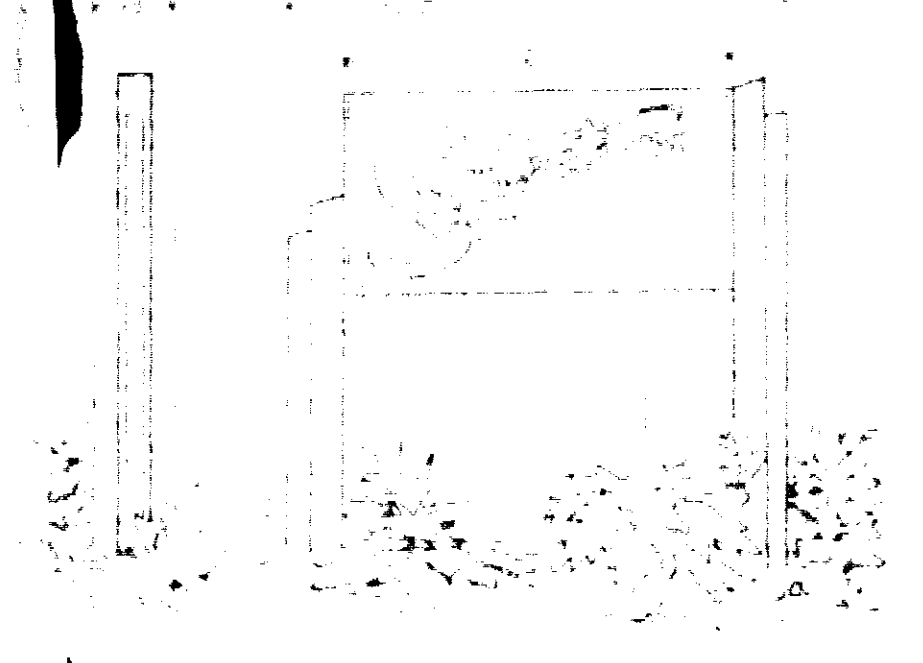
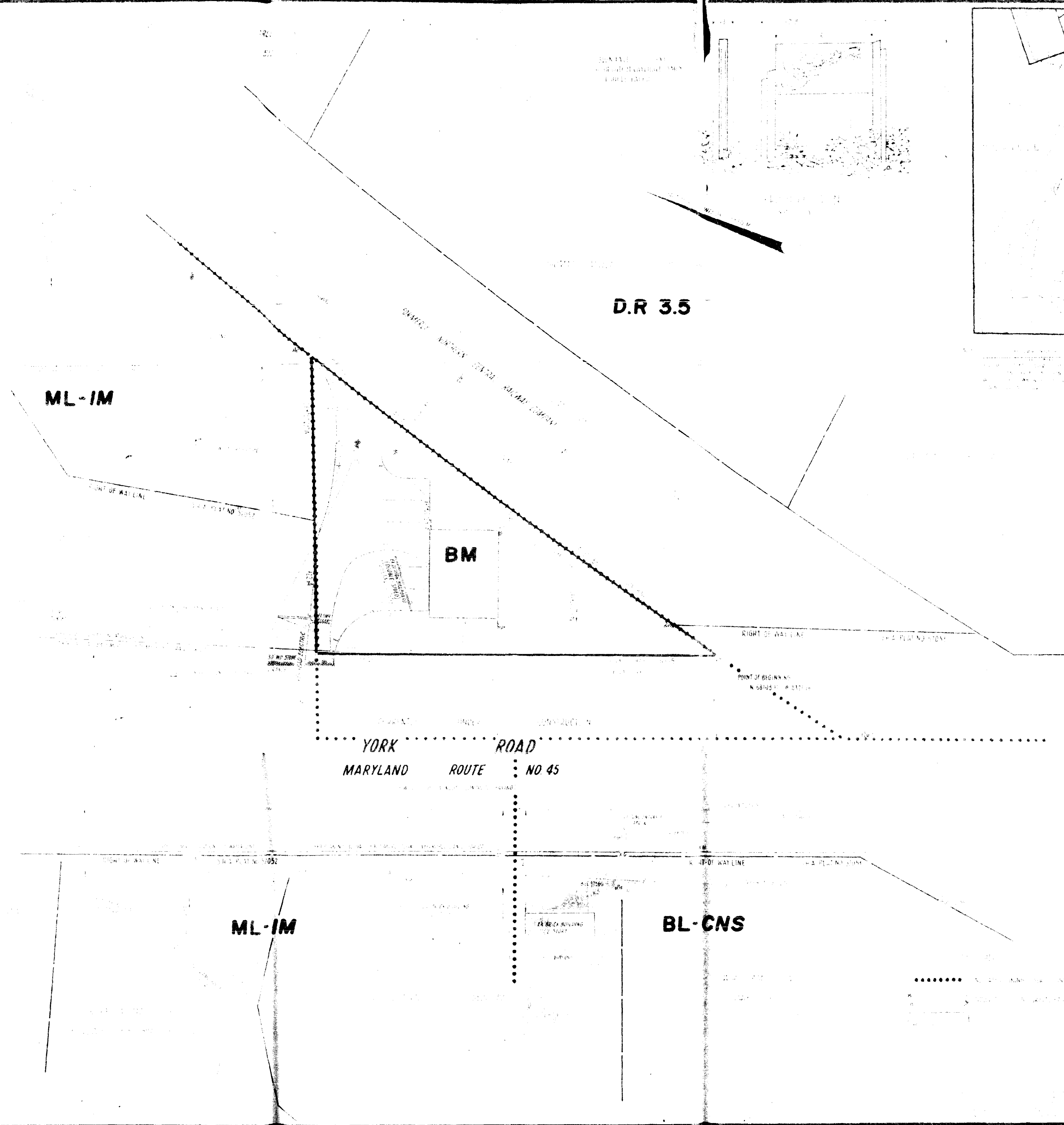
In accordance with your request, we find that the existing entrance for your property on York Road at the old Cockeysville Underpass meets State Highway Administration's Standards. SHA has found this entrance to be an acceptable point of access for your use.

Sincerely,

Bruce A. For
 Charles R. Harrison
 Metropolitan District Engineer

CRH:BDD:ah

My telephone number is _____
 Teletypewriter for Impaired Hearing or Speech
 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
 707 North Calvert St., Baltimore, Maryland 21203-0717



93-43-A

PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE
 ROBERT T. and LORRI BURGESS PROPERTY - 10913 YORK RD

PETITIONER'S EXHIBIT No 1

TAX MAP NO.		BLOCK NO.	PARCEL NO.
LEON A. PODOLAK AND ASSOCIATES			
DATE	SCALE	DATE	REVISION
DRAWING NO.			

